

Notice of Allowability

Application No.

09/864,607

Examiner

Hussein A. El-chanti

Applicant(s)

BRITTENHAM ET AL.

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/12/2007.
2. ☒ The allowed claim(s) is/are 25,26,28,31-44,47 and 52-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


ARIO ETIENNE

SUPERVISORY PATENT EXAMINER

PTOL-37, NOV CENTER 2100

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 3/13/06,12/10/04,5/31/05.

EXAMINER'S AMENDMENT

1. This action is responsive to amendment received on June 12, 2007.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Scott Hatfield on June 19, 2007.

3. The application has been amended as follows:

56. (currently amended) A computer program product for dynamically undeploying services in a computing network, the computer program product ~~embedded~~stored on one or more computer-readable storage media ~~and that when executed perform the~~ steps comprising:

~~computer-readable program code that is configured to receive~~ receiving an undeployment trigger for a selected service;

~~computer-readable program code that is configured to determine~~ determining one or more network locations where the selected service is deployed responsive to receiving the undeployment trigger;

~~computer-readable program code that is configured to effecting~~ a dynamic undeployment by programmatically removing the selected service from one or more selected ones of the network locations responsive to receiving the undeployment trigger,

wherein services comprise web services,

~~wherein the computer-readable program code that is configured to receive~~
~~wherein receiving~~ an undeployment trigger comprises ~~computer-readable program code~~
~~that is configured to receive~~ receiving an undeployment trigger for a selected web
service in the computing network,

~~wherein the computer-readable program code that is configured to determine~~
~~determining~~ one or more network locations comprises ~~computer-readable program code~~
~~that is configured to determine~~ determining one or more network locations where the
selected web service is deployed in the computing network,

~~wherein the computer-readable program code that is configured to effecting~~ a
dynamic undeployment comprises ~~computer-readable program code that is configured~~
~~to effecting~~ a dynamic undeployment by programmatically removing the selected web
service from one or more selected ones of the network locations in the computing
network, and

wherein the undeployment trigger is based upon usage of the selected service at
the network locations, and wherein the usage is an average number of client requests
for the selected service within a predetermined time interval;

~~computer-readable program code that is configured to sending~~ the undeployment
trigger to all of the network locations;

~~computer-readable program code that is configured to shutting~~ down the selected
service at the network locations, responsive to receiving the undeployment trigger, and
removing executed code which implements the selected service from a run-time
environment of each network location;

~~computer-readable program code that is configured to shutting~~ down the selected service at the origin server responsive to receiving the undeployment trigger, and removing executed code which implements the selected service from a run-time environment of the origin server; and

~~computer-readable program code that is configured to make~~ making the selected service unlocatable in the computing network.

57. (currently amended) A computer program product for dynamically undeploying services in a computing network, the computer program product ~~embodied~~ stored on one or more computer-readable storage media ~~and that when executed perform the steps~~ comprising:

~~computer-readable program code that is configured to receive~~ receiving an undeployment trigger for a selected service;

~~computer-readable program code that is configured to determine~~ determining one or more network locations where the selected service is deployed responsive to receiving the undeployment trigger;

~~computer-readable program code that is configured to effecting~~ a dynamic undeployment by programmatically removing the selected service from one or more selected ones of the network locations responsive to receiving the undeployment trigger,

wherein services comprise web services,

~~wherein the computer-readable program code that is configured to receive~~
~~wherein receiving~~ an undeployment trigger comprises ~~computer-readable program code~~
~~that is configured to receive~~ receiving an undeployment trigger for a selected web
service in the computing network,

~~wherein the computer-readable program code that is configured to determine~~
~~determining~~ one or more network locations comprises ~~computer-readable program code~~
~~that is configured to determine~~ determining one or more network locations where the
selected web service is deployed in the computing network,

~~wherein the computer-readable program code that is configured to effecting~~ a
dynamic undeployment comprises ~~computer-readable program code that is configured~~
~~to effecting~~ a dynamic undeployment by programmatically removing the selected web
service from one or more selected ones of the network locations in the computing
network, and

wherein the undeployment trigger is an undeployment request issued by an
origin server from which the selected service was initially deployed, wherein the
undeployment trigger is based upon usage of the selected service at the network
locations, and wherein the usage is an average number of client requests for the
selected service within a predetermined time interval;

~~computer-readable program code that is configured to sending~~ the undeployment
request to all of the network locations;

~~computer-readable program code that is configured to shutting~~ down the selected
service at the network locations, responsive to receiving the undeployment trigger, and

removing executed code which implements the selected service from a run-time environment of each network location;

~~computer-readable program code that is configured to shutting~~ down the selected service at the origin server responsive to receiving the undeployment trigger, and removing executed code which implements the selected service from a run-time environment of the origin server; and

~~computer-readable program code that is configured to make~~ making the selected service unlocatable in the computing network.

4. Claims 25-26, 28, 31-44, 47, 52-57 are allowed.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

June 22, 2007


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER